

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

EDDIE GUTIERREZ, :
 :
 Petitioner : CIVIL ACTION NO. 3:16-1134
 :
 v. : (JUDGE MANNION)
 :
 SUPERINTENDENT B. SMITH, :
 :
 Respondent :

ORDER

In accordance with this Court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus (Doc. [1](#)) is **DENIED**.
2. There is no basis for the issuance of a certificate of appealability. See [28 U.S.C. §2253\(c\)](#).
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: June 27, 2022

16-1134-01-ORDER